# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/802,447 | 03/09/2001 | Michael L. Rishel | 10005084-1 | 7032 |

| | |
|---|---|
| 7590 10/31/2003 | EXAMINER |
| HEWLETT-PACKARD COMPANY | LEROUX, ETIENNE PIERRE |

Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

| ART UNIT | PAPER NUMBER |
|---|---|
| 2171 | 8 |

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| Office Action Summary | Application No. | Applicant(s) |
|---|---|---|
| | 09/802,447 | MICHAEL RISHEL |
| | **Examiner** | **Art Unit** |
| | Etienne P LeRoux | 2171 |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>17 September 2003</u> .

2a)☐ This action is **FINAL**.  2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>09 March 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____ .

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

  a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

### *Specification*

1.      The abstract of the disclosure is objected to because it is not in simple narrative form and

it is too lengthy. Correction is required. See MPEP § 608.01(b).

2.      Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a
separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed
150 words in length since the space provided for the abstract on the computer tape used by the
printer is limited. The form and legal phraseology often used in patent claims, such as "means"
and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist
readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the
title. It should avoid using phrases which can be implied, such as, "The disclosure concerns,"
"The disclosure defined by this invention," "The disclosure describes," etc.

### *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.      Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No

6,460,060 issued to Maddalozzo et al (hereafter Maddalozzo '060).

Claim 1:

Maddalozzo '060 discloses:

- a computer [Fig 1, item 102]

- a memory [Fig 1, item 106] operable to store a single reference to a web page [col 5, lines 2-8]

- a browser [Fig 2, item 202 and col 4, lines 7-16] coupled to the memory and operable to execute on the computer,

- the browser comprising a first button [search button, Fig 5, item 514] and a second button [next/previous buttons, Fig 5, item 502]

- wherein the browser, responsive to activation of the first button, stores a reference to a currently accessed web page in the memory [col 5, lines 2-8],

- wherein the browser, responsive to activation of the second button, accesses a web page referenced by the reference stored in the memory [col 7, lines 8-14]

Claim 2:

Maddalozzo '060 discloses wherein the reference is a URL [col 7, lines 8-14].

Claim 3:

Maddalozzo '060 discloses wherein the reference is a string identifying a web page, the string being used to access the web page [col 7, lines 8-14].

Claim 4:

Maddalozzo '060 discloses wherein the memory is reset to a default reference each time the browser is started [Fig 3A and col 4, lines 45-60].

Claim 5:

Maddalozzo '060 discloses wherein the default reference being a reference to a home

page [col 4, lines 17-23].

Claim 6:

Maddalozzo '060 discloses:

- providing a memory location operable to store a reference to electronic content [Fig 1,

  item 106 and col 5, lines 2-8];

- providing a user interface operably coupled to the memory location, the user interface

  comprising a first button [search button, Fig 5, item 514] and a second button

  [next/previous button, Fig 5, item 502],

- the user interface operable to display electronic content [Fig 5, item 500, col 7, lines 9-

  15];

- displaying a first electronic content in the user interface; the first electronic content

  located at a first reference [Fig 5, item 500, col 7, lines 9-15];

- storing the first reference in the memory location in response to activation of the first

  button [col 5, lines 2-8];

- displaying a second electronic content in the user interface, the second electronic content

  located at a second reference [col 5, lines 9-25]; and

- displaying the first electronic content reference by the first reference stored in the

  memory location in response to activation of the second button [col 7, lines 9-15].

Claim 7:

Maddalozzo '060 discloses further comprising storing a third reference to a third

electronic content in the memory location in response to activation of the first button, wherein

the third electronic content being currently displayed in the user interface [Fig 3A and col 4,

lines 45-49].

Claim 8:

Maddalozzo '060 discloses wherein the reference comprises a URL [col 7, lines 8-14].

Claim 9:

Maddalozzo '060 discloses wherein the reference comprises an address to electronic

content [col 5, lines 2-8].

Claim 10:

Maddalozzo '060 discloses wherein the user interface is a web browser [Fig 5 item 500].

Claim 11:

Maddalozzo '060 discloses wherein the electronic content is a web page [abstract].

Claim 12:

Maddalozzo '060 discloses initializing the memory location to a default reference upon

starting the user interface [Fig 3A and col 4, lines 45-60].

Claim 13:

Maddalozzo '060 discloses:

- store a first reference to a first electronic content in a memory location, wherein the

    memory location being operable to store a single reference [Fig 1, item 106, col 5, lines

    2-8];

- display a second electronic content on a user interface, the second electronic content

  being associated with a second reference [col 7, lines 8-14];

- provide a first button [search button, Fig 5, item 514] and a second button [next/previous

  button, Fig 5, item 502] on the user interface; and display the first electronic content

  referenced by the first reference stored in the memory location on the user interface in

  response to activation of the first button [col 4, lines 17-30].

Claim 14:

Maddalozzo '060 discloses computer instructions that, when executed by a computer,

cause the computer to store a third reference to a third electronic content in the memory location

in response to activation of the second button, wherein the third electronic content being

currently displayed on the user interface [Fig 3A and col 4, lines 45-49]

Claim 15:

Maddalozzo '060 discloses wherein the user interface is a web browser [col 1, lines 17-

35]

Claim 16:

Maddalozzo '060 discloses computer instructions that, when executed by a computer,

cause the computer to retrieve the first electronic content over the Internet [col 1, lines 17-35].

Claim 17:

Maddalozzo '060 discloses:

- a set trail marker icon [bookmark feature, col 4, lines 35-44 wherein response to selecting

  the set trail marker icon, a URL reference to a currently accessed web page is stored in a

  temporary memory,

- an activate trial marker icon, wherein response to selecting the activate trail marker icon the stored URL reference is used to access the web page located at the URL reference [next/previous button, Fig 5, item 502],

- a user interface for displaying the first icon and the second icon on the computer [Fig 5, 500],

Claim 18:

Maddalozzo '060 discloses wherein the activate trail marker icon is associated with a default URL reference each time the browser is started [Fig 3a and col 4, lines 45-60].

### *Response to Arguments*

3.      Applicant's arguments with respect to claims 1-18 have been considered but are not persuasive. However, Applicant's arguments are moot in view of above new ground(s) of rejection.

Applicant states on page 6, "Further, Ha fails to disclose a browser comprising a first button and a second button, wherein the browser, responsive to activation of the first button, stores a reference to a currently accessed web page in the memory, and wherein the browser, responsive to activation of the second button, accesses the web page referenced by the reference stored in the memory." Examiner is not persuaded. The commonly accepted definition[1] of button is: "1. A graphic element in a dialog box that, when activated, performs a specified function. The user activates a button by clicking on it with a mouse or, if the button has the focus, by hitting the Return or Enter key. 2. On a mouse, a movable piece that is pressed to

---

[1] Microsoft Computer Dictionary, Fifth Edition.

activate some function. Older mouse models have only one button: newer models typically have

two or more buttons."

Ha discloses the following in column 6, lines 50-60:

When detecting the input of the bookmark button 131 (step S5) in a state where the cooking data
from the Internet is displayed on the displaying section 30, the microcomputer 100 stores the
displayed cooking data in the memory 150 (step S6), and returns to C. Meanwhile, when
detecting the input of the bookmark button 131 in a state where the cooking data is not received
from the Internet, or in a state where the cooking data is not displayed on the displaying section
301, the microcomputer 100 sequentially displays the cooking data stored in the memory 150
according to the number of bookmark button inputs.

Examiner maintains that the combination of the mouse button on the personal computer [Fig 4,

300] and the bookmark button [Fig 3, 131] reads on the claimed first button and second button.

Examiner has more than once made this argument but Applicant fails to understand same.

Therefore, in order to advance prosecution by hopefully, eliminating needless arguments about

what comprises a first button and a second button, above new grounds of rejection are made as

being anticipated by Maddalozzo.

## Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Patent related correspondence can be forwarded via the following FAX number (703)

872-9306

Etienne LeRoux

October 22, 2003

UYEN LE
AU 2171